

1 ***-0854/5.1*** SECTION 181. 16.526 of the statutes is created to read:

2 **16.526 Payment of the state's unfunded prior service liability under**
3 **the Wisconsin Retirement System; revenue obligations.** (1) For purposes of
4 subch. II of ch. 18, the purpose of paying of the state's unfunded prior service liability
5 under s. 40.05 (2) (b) is a special fund program, and the excise tax fund is a special
6 fund. The legislature finds and determines that the excise tax fund is a segregated
7 fund consisting of fees, penalties, or excise taxes and that the special program to pay
8 the state's unfunded prior service liability under s. 40.05 (2) (b) from the net proceeds
9 of revenue obligations issued under this section is appropriate and will serve a public
10 purpose.

11 (2) The net proceeds of revenue obligations issued under subch. II of ch. 18, as
12 authorized under this section, shall be deposited in a fund in the state treasury, or
13 an account maintained by a trustee, created under s. 18.57 (1). The moneys shall be
14 applied for ancillary payments and for the provision of reserves, as determined by
15 the building commission, and for the payment of part or all of the state's unfunded
16 prior service liability under s. 40.05 (2) (b), as determined by the department, and
17 any remainder shall be paid into a prior service liability obligation redemption fund
18 created under 18.562 (3).

19 (3) The department shall have all powers necessary and convenient to
20 distribute the excise tax fund revenues and to distribute the proceeds of the revenue
21 obligations issued under this section in accordance with subch. II of ch. 18.

22 (4) The department may enter into agreements with the federal government
23 or its agencies, political subdivisions of this state, individuals, or private entities to
24 insure, or in any other manner provide, additional security for the revenue
25 obligations issued under this section.

1 (5) (a) Subject to the limitation under par. (b), the building commission may
2 contract revenue obligations, payable from the excise tax fund, under this section in
3 the maximum amount that the building commission believes can be fully paid on a
4 timely basis from moneys received or anticipated to be received in the excise tax fund.

5 (b) The requirements for funds used for the payment of the state's unfunded
6 prior service liability under s. 40.05 (2) (b) that are to be paid from revenue
7 obligations issued under this section shall be determined by the secretary, but shall
8 not exceed \$750,000,000.

9 (6) Unless otherwise expressly provided in resolutions authorizing the
10 issuance of revenue obligations under this section or in other agreements with the
11 owners of revenue obligations, each issue of revenue obligations under this section
12 shall be on a parity with every other revenue obligation issued under this section and
13 in accordance with subch. II of ch. 18.

14 (7) As determined by the building commission, any moneys deposited in the
15 excise tax fund that are not required for the retirement of revenue obligations and
16 providing for reserves and for ancillary payments authorized to be paid from such
17 moneys are transferred to the general fund.

18 (8) Recognizing its moral obligation to do so, the legislature expresses its
19 expectation and aspiration that, if the funds in the excise tax fund are insufficient
20 to pay the principal of and interest on the revenue obligations issued under subch.
21 II of ch. 18 pursuant to this section, the legislature shall make an appropriation from
22 the general fund sufficient to pay the principal and interest on the obligations or to
23 replenish a reserve fund, if applicable.

24 *-1016/6.2* SECTION 182. 16.527 of the statutes is created to read:

1 **16.527 Retirement of state's unfunded prior service liability under the**
2 **Wisconsin Retirement System; appropriation obligations. (1) LEGISLATIVE**
3 FINDING AND DETERMINATION. Recognizing that the state, by prepaying part or all of
4 the state's unfunded prior service liability under s. 40.05 (2) (b), may reduce its costs
5 and better ensure the timely and full payment of retirement benefits to participants
6 and their beneficiaries under the Wisconsin Retirement System, the legislature finds
7 and determines that it is in the public interest for the state to issue appropriation
8 obligations to pay part or all of the state's unfunded prior service liability under s.
9 40.05 (2) (b).

10 (2) DEFINITIONS. In this section:

11 (a) "Appropriation obligation" means an undertaking by the state to repay a
12 certain amount of borrowed money that is all of the following:

13 1. Payable from moneys annually appropriated by law for debt service due with
14 respect to such undertaking in that year.

15 2. Used for the purpose of paying part or all of the state's unfunded prior service
16 liability under s. 40.05 (2) (b).

17 3. Not public debt under s. 18.01 (4).

18 (b) "Evidence of appropriation obligation" means a written promise to pay an
19 appropriation obligation.

20 (c) "Refunding obligation" means an appropriation obligation contracted to
21 fund or refund all or any part of one or more outstanding appropriation obligations.

22 (3) AUTHORIZATION OF APPROPRIATION OBLIGATIONS. (a) The department shall
23 have all powers necessary and convenient to carry out its duties, and exercise its
24 authority, under this section.

1 (b) 1. Subject to the limitation under subd. 2., the department may contract
2 appropriation obligations of the state under this section.

3 2. Appropriation obligations issued under this section may not exceed
4 \$750,000,000 in principal amount, excluding any obligations that have been
5 defcased under a cash optimization program administered by the building
6 commission. In addition to this limit on principal amount, the department may
7 contract appropriation obligations as the department determines is desirable to fund
8 or refund outstanding appropriation obligations issued under this section, to pay
9 issuance or administrative expenses, to make deposits to reserve funds, to pay
10 accrued or funded interest, to pay the costs of credit enhancement, or to make
11 payments under other agreements entered into under sub. (4) (e).

12 (4) TERMS. (a) Money may be borrowed and evidences of appropriation
13 obligation issued therefor pursuant to one or more written authorizing certifications
14 under sub. (5), unless otherwise provided in the certification, at any time, in any
15 specific amounts, at any rates of interest, for any term, payable at any intervals, at
16 any place, in any manner, and having any other terms or conditions that the
17 department considers necessary or useful. Appropriation obligations may bear
18 interest at variable or fixed rates, bear no interest, or bear interest payable only at
19 maturity or upon redemption prior to maturity.

20 (b) The department may authorize evidences of appropriation obligation
21 having any provisions for prepayment considered necessary or useful, including the
22 payment of any premium.

23 (c) Interest shall cease to accrue on an appropriation obligation on the date that
24 the obligation becomes due for payment if payment is made or duly provided for, but
25 the obligation and accrued interest shall continue to be a binding obligation

1 according to its terms until 6 years overdue for payment, or such longer period as may
2 be required by federal law. At that time, unless demand for its payment has been
3 made, it shall be extinguished and considered no longer outstanding.

4 (d) All money borrowed by the state pursuant to evidences of appropriation
5 obligation issued under this section shall be lawful money of the United States, and
6 all appropriation obligations shall be payable in such money.

7 (e) At the time of, or in anticipation of, contracting for the appropriation
8 obligations and at any time thereafter so long as the appropriation obligations are
9 outstanding, the department may enter into agreements and ancillary
10 arrangements relating to the appropriation obligations, including trust indentures,
11 liquidity facilities, remarketing or dealer agreements, letter of credit agreements,
12 insurance policies, guaranty agreements, reimbursement agreements, indexing
13 agreements, or interest exchange agreements. Any payments made or received
14 pursuant to any such agreement or ancillary arrangement shall be made from or
15 deposited into a program revenue appropriation account in the general fund.

16 (f) All evidences of appropriation obligation owned or held by any state fund are
17 outstanding in all respects and the state agency controlling the fund shall have the
18 same rights with respect to an evidence of appropriation obligation as a private party,
19 but if any sinking fund acquires evidences of appropriation obligation that gave rise
20 to such fund, the obligations are considered paid for all purposes and no longer
21 outstanding and shall be canceled as provided in sub. (8) (e). All evidences of
22 appropriation obligation owned by any state fund shall be registered to the fullest
23 extent registrable.

24 (g) The state shall not be generally liable on evidences of appropriation
25 obligation and evidences of appropriation obligation shall not be a debt of the state

1 for any purpose whatsoever. Evidences of appropriation obligation, including the
2 principal thereof and interest thereon, shall be payable only from amounts that the
3 legislature may, from year to year, appropriate for the payment thereof.

4 (5) PROCEDURES. (a) No evidence of appropriation obligation may be issued by
5 the state unless the issuance is pursuant to a written authorizing certification. The
6 certification shall set forth the aggregate principal amount of appropriation
7 obligations authorized thereby, the manner of sale of the evidences of appropriation
8 obligation, and the form and terms thereof. The certification shall be signed by the
9 secretary, or his or her designee, and shall be transmitted to the governor and the
10 state treasurer.

11 (b) Appropriation obligations may be sold at either public or private sale and
12 may be sold at any price or percentage of par value. The department may provide
13 in any authorizing certification for refunding obligations under sub. (7) that they be
14 exchanged privately in payment and discharge of any of the outstanding obligations
15 being refinanced. All appropriation obligations sold at public sale shall be noticed
16 as provided in the authorizing certification. Any bid received at public sale may be
17 rejected.

18 (6) FORM. (a) Evidences of appropriation obligation may be in the form of
19 bonds, notes, or other evidences of obligation, and may be issued in book-entry form
20 or in certificated form. Notwithstanding s. 403.104 (1), every evidence of
21 appropriation obligation is a negotiable instrument.

22 (b) Every evidence of appropriation obligation shall be executed in the name
23 of and for the state by the governor and the state treasurer and shall be sealed with
24 the great seal of the state or a facsimile thereof. The facsimile signature of either the
25 governor or state treasurer, or both, may be imprinted in lieu of the manual signature

1 of such officer, as the department directs, if approved by such officer. An evidence
2 of appropriation obligation bearing the manual or facsimile signature of a person in
3 office at the time such signature was signed or imprinted shall be fully valid
4 notwithstanding that before or after the delivery thereof such person ceased to hold
5 such office.

6 (c) Every evidence of appropriation obligation shall be dated not later than the
7 date issued, shall contain a reference by date to the appropriate authorizing
8 certification, shall state the limitation established in sub. (4) (g), and shall be in
9 accordance with the authorizing certification.

10 (d) An evidence of appropriation obligation shall be in such form and contain
11 such statements or terms as determined by the department, and may not conflict
12 with law or with the appropriate authorizing certification.

13 (7) REFUNDING OBLIGATIONS. (a) 1. The department may authorize the issuance
14 of appropriation obligation refunding obligations. Refunding obligations may be
15 issued, subject to any contract rights vested in owners of obligations being
16 refinanced, to refinance all or any part of one or more issue of obligations
17 notwithstanding that the obligations may have been issued at different times. The
18 principal amount of the refunding obligations may not exceed the sum of: the
19 principal amount of the obligations being refinanced; applicable redemption
20 premiums; unpaid interest on the obligations to the date of delivery or exchange of
21 the refunding obligations; in the event the proceeds are to be deposited in trust as
22 provided in par. (c), interest to accrue on the obligations from the date of delivery to
23 the date of maturity or to the redemption date selected by the department, whichever
24 is earlier; and the expenses incurred in the issuance of the refunding obligations and
25 the payment of the obligations.

SECTION 182

1 2. A determination by the department that a refinancing is advantageous or
2 that any of the amounts provided subd. 1. should be included in the refinancing shall
3 be conclusive.

4 (b) If the department determines to exchange refunding obligations, they may
5 be exchanged privately for and in payment and discharge of any of the outstanding
6 obligations being refinanced. Refunding obligations may be exchanged for such
7 principal amount of the obligations being exchanged therefor as may be determined
8 by the department to be necessary or advisable. The owners of the obligations being
9 refunded who elect to exchange need not pay accrued interest on the refunding
10 obligations if and to the extent that interest is accrued and unpaid on the obligations
11 being refunded and to be surrendered. If any of the obligations to be refinanced are
12 to be called for redemption, the department shall determine which redemption dates
13 are to be used, if more than one date is applicable and shall, prior to the issuance of
14 the refunding obligations, provide for notice of redemption to be given in the manner
15 and at the times required by the certification authorizing the outstanding
16 obligations.

17 (c) 1. The principal proceeds from the sale of any refunding obligations shall
18 be applied either to the immediate payment and retirement of the obligations being
19 refinanced or, if the obligations have not matured and are not presently redeemable,
20 to the creation of a trust for and shall be pledged to the payment of the obligations
21 being refinanced.

22 2. If a trust is created, a separate deposit shall be made for each issue of
23 appropriation obligations being refinanced. Each deposit shall be with the state
24 treasurer or a bank or trust company that is a member of the Federal Deposit
25 Insurance Corporation. If the total amount of any deposit, including money other

1 than sale proceeds but legally available for such purpose, is less than the principal
2 amount of the obligations being refinanced and for the payment of which the deposit
3 has been created and pledged, together with applicable redemption premiums and
4 interest accrued and to accrue to maturity or to the date of redemption, then the
5 application of the sale proceeds shall be legally sufficient only if the money deposited
6 is invested in securities issued by the United States or one of its agencies, or
7 securities fully guaranteed by the United States, and only if the principal amount
8 of the securities at maturity and the income therefrom to maturity will be sufficient
9 and available, without the need for any further investment or reinvestment, to pay
10 at maturity or upon redemption the principal amount of the obligations being
11 refinanced together with applicable redemption premiums and interest accrued and
12 to accrue to maturity or to the date of redemption. The income from the principal
13 proceeds of the securities shall be applied solely to the payment of the principal of
14 and interest and redemption premiums on the obligations being refinanced, but
15 provision may be made for the pledging and disposition of any surplus.

16 3. Nothing in this paragraph may be construed as a limitation on the duration
17 of any deposit in trust for the retirement of obligations being refinanced that have
18 not matured and that are not presently redeemable. Nothing in this paragraph may
19 be construed to prohibit reinvestment of the income of a trust if the reinvestments
20 will mature at such times that sufficient cash will be available to pay interest,
21 applicable premiums, and principal on the obligations being refinanced.

22 (8) FISCAL REGULATIONS. (a) The state treasurer shall act as registrar for each
23 evidence of appropriation obligation. No transfer of a registered evidence of
24 appropriation obligation is valid unless made on a register maintained by the state
25 treasurer, and the state may treat the registered owner as the owner of the

1 instrument for all purposes. Payments of principal and interest shall be by electronic
2 funds transfer, check, share draft, or other draft to the registered owner at the
3 owner's address as it appears on the register, unless the department has otherwise
4 provided. Information in the register is not available for inspection and copying
5 under s. 19.35 (1). The department may make any other provision respecting
6 registration as it considers necessary or useful. The state treasurer may enter into
7 a contract for the performance of any of his or her functions relating to appropriation
8 obligations.

9 (b) The state treasurer, or the treasurer's agent, shall maintain records
10 containing a full and correct description of each evidence of appropriation obligation
11 issued, identifying it, and showing its date, issue, amount, interest rate, payment
12 dates, payments made, registration, destruction, and every other relevant
13 transaction.

14 (c) The secretary may appoint one or more trustees and fiscal agents for each
15 issue of appropriation obligations. The state treasurer may be denominated the
16 trustee and the sole fiscal agent or a cofiscal agent for any issue of appropriation
17 obligations. Every other fiscal agent shall be an incorporated bank or trust company
18 authorized by the laws of the United States or of the state in which it is located to
19 do a banking or trust company business. There may be deposited with a trustee, in
20 a special account, moneys to be used only for the purposes expressly provided in the
21 certification authorizing the issuance of evidences of appropriation obligation or an
22 agreement between the department and the trustee. The department may make
23 other provisions respecting trustees and fiscal agents as the department considers
24 necessary or useful and may enter into a contract with any trustee or fiscal agent

1 containing such terms, including compensation, and conditions in regard to the
2 trustee or fiscal agent as the department considers necessary or useful.

3 (d) If any evidence of appropriation obligation is destroyed, lost, or stolen, the
4 department shall execute and deliver a new evidence of appropriation obligation,
5 upon filing with the department evidence satisfactory to the department that the
6 evidence of appropriation obligation has been destroyed, lost, or stolen, upon
7 providing proof of ownership thereof, and upon furnishing the department with
8 indemnity satisfactory to it and complying with such other rules of the department
9 and paying any expenses that the department or the state treasurer may incur. The
10 department shall cancel the evidences of appropriation obligation surrendered to the
11 department.

12 (e) Unless otherwise directed by the department, every evidence of
13 appropriation obligation paid or otherwise retired shall be marked "canceled" and
14 delivered, through the state treasurer if delivered to a fiscal agent other than the
15 state treasurer, to the state auditor who shall destroy them and deliver to the state
16 treasurer a certificate to that effect.

17 (9) APPROPRIATION OBLIGATIONS AS LEGAL INVESTMENTS. Any of the following may
18 legally invest any sinking funds, moneys, or other funds belonging to them or under
19 their control in any appropriation obligations issued under this section:

20 (a) The state, the investment board, public officers, municipal corporations,
21 political subdivisions, and public bodies.

22 (b) Banks and bankers, savings and loan associations, credit unions, trust
23 companies, savings banks and institutions, investment companies, insurance
24 companies, insurance associations, and other persons carrying on a banking or
25 insurance business.

1 (c) Personal representatives, guardians, trustees, and other fiduciaries.

2 (10) MORAL OBLIGATION PLEDGE. Recognizing its moral obligation to do so, the
3 legislature expresses its expectation and aspiration that it shall make timely
4 appropriations from moneys in the general fund that are sufficient to pay the
5 principal and interest due with respect to any appropriation obligations in any year.

6 *-1688/2.1* SECTION 183. 16.53 (1) (d) 1. of the statutes is amended to read:

7 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on
8 employment relations, shall fix the time, ~~except as provided in ss. 106.21 (9) (e) and~~
9 ~~s. 106.215 (10) (e)~~, and frequency for payment of salaries due elective and appointive
10 officers and employees of the state. As determined under this subdivision, the
11 salaries shall be paid either monthly, semimonthly or for each 2-week period.

***NOTE: This is reconciled s. 16.53 (1) (d) 1. This SECTION has been affected by
drafts with the following LRB numbers: LRB-1688/1 and LRB-1712/3.

12 *-0529/4.25* SECTION 184. 16.53 (5) of the statutes is amended to read:

13 16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on
14 the state treasurer treasury payable to the claimant for the amount allowed by the
15 secretary upon every claim audited under sub. (1), except as authorized in s. 16.52
16 (7), 20.920, or 20.929, specifying from what fund to be paid, the particular law ~~which~~
17 that authorizes the claim to be paid out of the state treasury, and at the secretary's
18 discretion the post-office address of the payee. ~~The secretary shall not credit the~~
19 ~~treasurer for any sum of money paid out by the treasurer~~ No moneys may be paid out
20 of the state treasury under this section otherwise than upon such warrants.

21 *-0529/4.26* SECTION 185. 16.53 (10) (a) of the statutes is amended to read:

22 16.53 (10) (a) If an emergency arises which requires the department to draw
23 vouchers for payments which will be in excess of available moneys in any state fund,

1 the secretary, ~~in consultation with the state treasurer, and~~ after notifying the joint
2 committee on finance under par. (b), may prorate and establish priority schedules for
3 all payments within each fund, including those payments for which a specific
4 payment date is provided by statute, except as otherwise provided in this paragraph.
5 The secretary shall draw all vouchers according to the preference provided in this
6 paragraph. All direct or indirect payments of principal or interest on state bonds and
7 notes issued under subch. I of ch. 18 have first priority. All direct or indirect
8 payments of principal or interest on state notes issued under subch. III of ch. 18 have
9 2nd priority. No payment having a 1st or 2nd priority may be prorated or reduced
10 under this subsection. All state employee payrolls have 3rd priority. The secretary
11 shall draw all remaining vouchers according to a priority determined by the
12 secretary. The secretary shall maintain records of all claims prorated under this
13 subsection and ~~shall provide written notice to the state treasurer when a potential~~
14 ~~cash flow emergency is anticipated.~~

15 ~~*-0529/4.27*~~ SECTION 186. 16.53 (10) (b) of the statutes is amended to read:

16 16.53 (10) (b) Before exercising authority under par. (a) the secretary shall,
17 ~~after consultation with the state treasurer,~~ notify the joint committee on finance as
18 to the need for and the procedures under which proration or priority schedules under
19 par. (a) shall occur. If the joint committee on finance has not, within 2 working days
20 after the notification, scheduled a meeting to review the secretary's proposal, the
21 secretary may proceed with the proposed action. If, within 2 working days after the
22 notification, the committee schedules a meeting, the secretary may not proceed with
23 the proposed action until after the meeting is held.

24 ~~*-1327/1.3*~~ SECTION 187. 16.53 (13) (a) of the statutes is amended to read:

1 16.53 (13) (a) In this subsection, “agency” has the meaning given in s. 16.70 (4)
2 (1e).

3 ***-1634/7.22* SECTION 188.** 16.54 (2) (b) of the statutes is amended to read:

4 16.54 (2) (b) Upon presentation by the department to the joint committee on
5 finance of alternatives to the provisions under s. ~~16.385~~ 16.27, the joint committee
6 on finance may revise the eligibility criteria under s. ~~16.385~~ 16.27 (5), benefit
7 payments under s. ~~16.385~~ 16.27 (6) or the amount allocated for crises under s. ~~16.385~~
8 16.27 (3) (e) 2. and the department shall implement those revisions. Benefits or
9 eligibility criteria so revised shall take into account and be consistent with the
10 requirements of federal regulations promulgated under 42 USC 8621 to 8629. If
11 funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90%
12 of the amount received in the previous federal fiscal year, the department shall
13 submit to the joint committee on finance a plan for expenditure of the funds. The
14 department may not use the funds unless the committee approves the plan.

15 ***-1327/1.4* SECTION 189.** 16.545 (9) of the statutes is amended to read:

16 16.545 (9) To initiate contacts with the federal government for the purpose of
17 facilitating participation by agencies, as defined in s. 16.70 (4) (1e), in federal aid
18 programs, to assist those agencies in applying for such aid, and to facilitate
19 influencing the federal government to make policy changes that will be beneficial to
20 this state. The department may assess an agency to which it provides services under
21 this subsection a fee for the expenses incurred by the department in providing those
22 services.

23 ***-1289/7.15* SECTION 190.** 16.61 (2) (af) of the statutes is amended to read:

24 16.61 (2) (af) “Form” has the meaning specified in s. ~~22.01~~ 16.97 (5p).

25 ***-1289/7.16* SECTION 191.** 16.61 (3n) of the statutes is amended to read:

1 **16.61 (3n) EXEMPT FORMS.** The board may not receive or investigate complaints
2 about the forms specified in s. ~~22.03~~ 16.971 (2m).

3 *~~1327/1.5~~* **SECTION 192.** 16.70 (1) of the statutes is renumbered 16.70 (1e).

4 *~~1327/1.6~~* **SECTION 193.** 16.70 (1b) of the statutes is created to read:

5 **16.70 (1b)** “Affiliate” means an individual or business that controls, is
6 controlled by, or is under common control with another individual or business.

7 *~~1327/1.7~~* **SECTION 194.** 16.70 (2e) of the statutes is created to read:

8 **16.70 (2e)** “Business” means a corporation, partnership, limited liability
9 company, association, or sole proprietorship operated for profit.

10 *~~1327/1.8~~* **SECTION 195.** 16.70 (3e) of the statutes is created to read:

11 **16.70 (3e)** “Control” means to own, directly or indirectly, more than 10% of the
12 interest in or voting securities of a business.

13 *~~0666/9.2~~* **SECTION 196.** 16.70 (3m) of the statutes is amended to read:

14 **16.70 (3m)** “Educational technology” has the meaning given in s. ~~44.70~~ 115.997
15 (3).

16 *~~1289/7.17~~* **SECTION 197.** 16.70 (4m) of the statutes is amended to read:

17 **16.70 (4m)** “Information technology” has the meaning given in s. ~~22.01~~ 16.97
18 (6).

19 *~~1289/7.18~~* **SECTION 198.** 16.70 (15) of the statutes is amended to read:

20 **16.70 (15)** “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

21 *~~1327/1.9~~* **SECTION 199.** 16.70 (16) of the statutes is created to read:

22 **16.70 (16)** “Voting securities” means securities that confer upon the holder the
23 right to vote for the election of members of the board of directors or similar governing
24 body of a business, or are convertible into, or entitle the holder to receive upon their
25 exercise, securities that confer such a right to vote.

1 *~~1634/7.23~~* SECTION 200. 16.705 (1m) of the statutes is amended to read:

2 16.705 (1m) Subsection (1) does not apply to contracts entered into by the
3 volunteer fire fighter and emergency medical technician service award board under
4 s. ~~16.25~~ 560.9813 (4) (b).

5 *~~0576/8.20~~* SECTION 201. 16.705 (3) (intro.) of the statutes is amended to
6 read:

7 16.705 (3) (intro.) ~~Contracts for contractual services shall be submitted by the~~
8 ~~department for the review and approval of the~~ The secretary of employment relations
9 ~~prior to award, under conditions established by rule of the department. The~~
10 ~~secretary of employment relations, shall review such contracts for contractual~~
11 ~~services in order to ensure that agencies:~~

12 *~~1289/7.19~~* SECTION 202. 16.71 (1m) of the statutes is amended to read:

13 16.71 (1m) The department shall not delegate to any executive branch agency,
14 other than the board of regents of the University of Wisconsin System, the authority
15 to enter into any contract for materials, supplies, equipment, or contractual services
16 relating to information technology ~~or telecommunications~~ prior to review and
17 approval of the contract by the ~~chief information officer~~ department. ~~The~~
18 department shall not delegate to any executive branch agency the authority to enter
19 into any contract for materials, supplies, equipment, or contractual services relating
20 to telecommunications prior to review and approval of the contract by the
21 department. No executive branch agency, ~~other than the board of regents of the~~
22 ~~University of Wisconsin System,~~ may enter into any such contract for which review
23 is required under this subsection without review and approval of the contract by the
24 ~~chief information officer~~ department.

25 *~~1289/7.20~~* SECTION 203. 16.71 (2m) of the statutes is repealed.

1 *~~0666/9.3~~* SECTION 204. 16.71 (4) of the statutes is amended to read:

2 16.71 (4) ~~With the approval of the department of electronic government~~ Upon
3 request of the department of public instruction, the department of administration
4 shall delegate authority to the ~~technology for educational achievement in Wisconsin~~
5 ~~board~~ department of public instruction to make purchases of educational technology
6 equipment for use by school districts, cooperative educational service agencies, and
7 public educational institutions in this state, ~~upon request of the board~~ and to enter
8 into cooperative purchasing agreements under s. 16.73 (1) under which participating
9 school districts and cooperative educational service agencies may contract for their
10 professional employees to receive training concerning the effective use of educational
11 technology.

12 *~~1634/7.24~~* SECTION 205. 16.71 (5) of the statutes is amended to read:

13 16.71 (5) The department shall delegate authority to the volunteer fire fighter
14 and emergency medical technician service award board to enter into contracts under
15 s. ~~16.25~~ 560.9813 (4) (b).

16 *~~1289/7.21~~* SECTION 206. 16.72 (2) (a) of the statutes is amended to read:

17 16.72 (2) (a) The department ~~of administration~~ shall prepare standard
18 specifications, as far as possible, for all state purchases. By “standard specifications”
19 is meant a specification, either chemical or physical or both, prepared to describe in
20 detail the article which the state desires to purchase, and trade names shall not be
21 used. On the formulation, adoption and modification of any standard specifications,
22 the department of administration shall also seek and be accorded without cost, the
23 assistance, advice and cooperation of other agencies and officers. Each specification
24 adopted for any commodity shall, insofar as possible, satisfy the requirements of any
25 and all agencies which use it in common. ~~Any specifications for the purchase of~~

1 materials, supplies, equipment, or contractual services for information technology
2 or telecommunications purposes are subject to the approval of the chief information
3 officer.

4 ***-1289/7.22* SECTION 207.** 16.72 (2) (b) of the statutes is amended to read:

5 16.72 (2) (b) Except as provided in ~~par. (a) and ss. 16.25 (4) (b),~~ 16.751 and,
6 560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review
7 specifications for all materials, supplies, equipment, other permanent personal
8 property and contractual services not purchased under standard specifications.
9 Such “nonstandard specifications” may be generic or performance specifications, or
10 both, prepared to describe in detail the article which the state desires to purchase
11 either by its physical properties or by its programmatic utility. When appropriate
12 for such nonstandard items or services, trade names may be used to identify what
13 the state requires, but wherever possible 2 or more trade names shall be designated
14 and the trade name of any Wisconsin producer, distributor or supplier shall appear
15 first.

****NOTE: This is reconciled s. 16.72 (2) (b). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1634/4 and LRB-1289/6.

16 ***-1289/7.23* SECTION 208.** 16.72 (4) (a) of the statutes is amended to read:

17 16.72 (4) (a) Except as provided in ss. 16.71 and 16.74 or as otherwise provided
18 in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all
19 supplies, materials, equipment and contractual services shall be purchased for and
20 furnished to any agency only upon requisition to the department. The department
21 shall prescribe the form, contents, number and disposition of requisitions and shall
22 promulgate rules as to time and manner of submitting such requisitions for
23 processing. No agency or officer may engage any person to perform contractual

1 services without the specific prior approval of the department for each such
2 engagement. Purchases of supplies, materials, equipment or contractual services by
3 ~~the department of electronic government~~, the legislature, the courts or legislative
4 service or judicial branch agencies do not require approval under this paragraph.

5 ***-1746/4.2* SECTION 209.** 16.72 (4) (b) of the statutes is amended to read:

6 16.72 (4) (b) The department shall promulgate rules for the declaration as
7 surplus of supplies, materials and equipment in any agency and for the transfer to
8 other agencies or for the disposal by private or public sale of supplies, materials and
9 equipment. In either case ~~due credit shall be given to the agency releasing the same~~
10 , the department shall deposit the net proceeds in the budget stabilization fund,
11 except that the department shall transfer any supplies, materials or equipment
12 declared to be surplus to the department of tourism, upon request of the department
13 of tourism, at no cost, if the transfer is permitted by the agency having possession
14 of the supplies, materials or equipment.

15 ***-0666/9.4* SECTION 210.** 16.72 (8) of the statutes is amended to read:

16 16.72 (8) The department may purchase educational technology materials,
17 supplies, equipment, or contractual services from orders placed with the department
18 ~~by the technology for educational achievement in Wisconsin board~~ department of
19 public instruction on behalf of school districts, cooperative educational service
20 agencies, technical college districts, and the board of regents of the University of
21 Wisconsin System.

22 ***-1327/1.10* SECTION 211.** 16.75 (1) (a) 1. of the statutes is amended to read:

23 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
24 materials, supplies, equipment, and contractual services to be provided to any
25 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),

1 (6), (7), (8), ~~and (9), and (10m)~~ and ss. 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05
2 (7) (f), and 287.15 (7), shall be awarded to the lowest responsible bidder, taking into
3 consideration life cycle cost estimates under sub. (1m), when appropriate, the
4 location of the agency, the quantities of the articles to be supplied, their conformity
5 with the specifications, and the purposes for which they are required and the date
6 of delivery.

7 ***-1289/7.24* SECTION 212.** 16.75 (3t) (a) of the statutes is amended to read:

8 16.75 (3t) (a) In this subsection, “form” has the meaning given under s. 22.01
9 16.97 (5p).

10 ***-1289/7.25* SECTION 213.** 16.75 (6) (am) of the statutes is amended to read:

11 16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the
12 ~~department of electronic government~~ department relating to information technology
13 or telecommunications. Annually not later than October 1, the department of
14 ~~electronic government~~ shall report to the ~~department of administration~~ governor, in
15 the form specified by the ~~secretary~~ governor, concerning all procurements relating
16 to information technology or telecommunications by the ~~department of electronic~~
17 ~~government~~ department during the preceding fiscal year that were not made in
18 accordance with the requirements of subs. (1) and (3t).

19 ***-1327/1.11* SECTION 214.** 16.75 (10m) of the statutes is created to read:

20 16.75 (10m) The department, any other designated purchasing agent under s.
21 16.71 (1), any agency making purchases under s. 16.74, and any authority shall not
22 enter into any contract or order for the purchase of materials, supplies, equipment,
23 or contractual services with a person if the name of the person, or the name of an
24 affiliate of that person, is certified to the department by the secretary of revenue
25 under s. 77.66.

1 *~~1289/7.26~~* SECTION 215. 16.752 (12) (i) of the statutes is amended to read:
2 16.752 (12) (i) Paragraph (a) does not apply to procurements by the department
3 of ~~electronic government relating to information technology or telecommunications.~~

4 *~~1289/7.27~~* SECTION 216. 16.78 (title) of the statutes is amended to read:
5 16.78 (title) ~~Purchases from department of electronic government~~
6 relating to information technology or telecommunications.

7 *~~1289/7.28~~* SECTION 217. 16.78 (1) of the statutes is renumbered 16.78 (1) (a)
8 and amended to read:

9 16.78 (1) (a) ~~Every~~ Except as authorized in par. (b), every agency other than
10 the board of regents of the University of Wisconsin System or an agency making
11 purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,
12 and contractual services relating to information technology ~~or telecommunications~~
13 from the department of ~~electronic government, unless.~~ Except as authorized in par.
14 (b), every agency except an agency making purchases under s. 16.74 shall make all
15 purchases of materials, supplies, equipment, and contractual services relating to
16 telecommunications from the department.

17 (b) Paragraph (a) does not apply if the department of electronic government
18 requires the agency to purchase the materials, supplies, equipment, or contractual
19 services pursuant to a master contract established under s. ~~22.05~~ 16.972 (2) (h), or
20 grants written authorization to the agency to procure the materials, supplies,
21 equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the
22 materials, supplies, equipment, or contractual services from another agency or to
23 provide the materials, supplies, equipment, or contractual services to itself. The
24 board of regents of the University of Wisconsin System may make purchases of

1 materials, supplies, equipment, and contractual services relating to information
2 technology ~~or telecommunications~~ from the department of ~~electronic government~~.

3 ***-1289/7.29* SECTION 218.** 16.78 (2) of the statutes is amended to read:

4 16.78 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase
5 of materials, supplies, equipment, or contractual services by any agency from the
6 department of ~~electronic government~~ under sub. (1) (a).

7 ***-1910/2.1* SECTION 219.** 16.836 of the statutes is repealed.

8 ***-1327/1.12* SECTION 220.** 16.84 (14) of the statutes is amended to read:

9 16.84 (14) Provide interagency mail delivery service for agencies, as defined
10 in s. 16.70 ~~(1)~~ (1e). The department may charge agencies for this service. Any moneys
11 collected shall be credited to the appropriation account under s. 20.505 (1) (kb).

12 ***-1327/1.13* SECTION 221.** 16.841 (1) (a) of the statutes is amended to read:

13 16.841 (1) (a) “Agency” has the meaning given in s. 16.70 ~~(1)~~ (1e).

14 ***-1327/1.14* SECTION 222.** 16.855 (16) (b) 1. of the statutes is amended to read:

15 16.855 (16) (b) 1. In this paragraph, “agency” has the meaning given in s. 16.70
16 ~~(1)~~ (1e).

17 ***-1634/7.25* SECTION 223.** 16.957 (3) (a) of the statutes is amended to read:

18 16.957 (3) (a) The ~~division of housing~~ department shall, on the basis of
19 competitive bids, contract with community action agencies described in s. 46.30 (2)
20 (a) 1., nonstock, nonprofit corporations organized under ch. 181 or local units of
21 government to provide services under the programs established under sub. (2) (a).

22 ***-1887/1.1* SECTION 224.** 16.964 (1) of the statutes is renumbered 16.964 (1g).

23 ***-1882/2.1* SECTION 225.** 16.964 (1g) (i) of the statutes is created to read:

24 16.964 (1g) (i) Apply for contracts and receive and expend any moneys or grant
25 from the federal government related to homeland security.

1 *~~1887/1.2~~* SECTION 226. 16.964 (2) of the statutes is amended to read:

2 16.964 (2) All persons in charge of law enforcement agencies and other criminal
3 and juvenile justice system agencies shall supply the office with the information
4 described in sub. ~~(1)~~ (1g) (g) on the basis of the forms or instructions or both to be
5 supplied by the office under sub. ~~(1)~~ (1g) (g).

6 *~~1887/1.3~~* SECTION 227. 16.964 (6) (a) of the statutes is renumbered 16.964
7 (1d) and amended to read:

8 16.964 (1d) In this subsection section, “tribe” means a federally recognized
9 American Indian tribe or band in this state.

10 *~~1887/1.4~~* SECTION 228. 16.964 (6) (b) of the statutes is amended to read:

11 16.964 (6) (b) From the appropriation under s. 20.505 (6) ~~(ks)~~ (kq), the office
12 shall provide grants to tribes to fund tribal law enforcement operations. To be
13 eligible for a grant under this subsection, a tribe must submit an application for a
14 grant to the office that includes a proposed plan for expenditure of the grant moneys.
15 The office shall review any application and plan submitted to determine whether
16 that application and plan meet the criteria established under par. (c). The office shall
17 review the use of grant money provided under this subsection to ensure that the
18 money is used according to the approved plan.

19 *~~1887/1.5~~* SECTION 229. 16.964 (7) of the statutes is repealed and recreated
20 to read:

21 16.964 (7) (a) From the appropriation under s. 20.505 (6) (kq), the office of
22 justice assistance shall provide grants for cooperative county-tribal law enforcement
23 services to counties that have one or more federally recognized American Indian
24 reservations within or partially within their boundaries or that border on one or
25 more federally recognized American Indian reservations. In order to receive aid

SECTION 229

1 under this subsection, a county must enter into an agreement in accordance with s.
2 59.54 (12) with an Indian tribe that is located in or borders on the county, to establish
3 a cooperative county-tribal law enforcement program. The office shall consider a
4 request for aid under this subsection from any county that meets the eligibility
5 criteria established under this paragraph and that submits to the office a proposal
6 for expenditure of grant moneys.

7 (b) The office may require that a county include the following in its proposal
8 for aid under this subsection:

9 1. A description of any cooperative county-tribal law enforcement program or
10 law enforcement service for which the county requests funding.

11 2. A description of the population and geographic area that the county proposes
12 to serve.

13 3. The county's need for funding under this subsection and the amount of
14 funding requested.

15 4. Identification of the county governmental unit that shall administer any aid
16 received under this subsection and a description of how that governmental unit shall
17 disburse any aid received under this subsection.

18 5. Any information, other than that in subds. 1. to 4., that is required by the
19 office or considered relevant by the county submitting the application.

20 (c) The office shall develop criteria and procedures for use in administering this
21 subsection. Notwithstanding s. 227.10 (1), the criteria and procedures need not be
22 promulgated as rules under ch. 227.

23 ***-1559/2.1* SECTION 230.** 16.964 (9) (intro.) of the statutes is created to read:

24 16.964 (9) (intro.) From the appropriation under s. 20.505 (6) (p), the office
25 shall distribute the following grants for children's community programs:

1 provide private colleges, technical college districts, public library boards and, public
2 library systems, and public museums with telecommunications access under s. 44.73
3 115.9995 and contract with telecommunications providers to provide ~~such~~ that
4 access.

****NOTE: This is reconciled s. 16.974 (2). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0392/2 and LRB-0666/8.

5 ***-0666/9.7* SECTION 237.** 16.974 (3) of the statutes is amended to read:

6 16.974 (3) ~~Coordinate with the technology for educational achievement in~~
7 ~~Wisconsin board~~ department of public instruction to provide private schools with
8 telecommunications access under s. 44.73 115.9995 and contract with
9 telecommunications providers to provide ~~such~~ that access.

10 ***-0666/9.8* SECTION 238.** 16.974 (4) of the statutes is amended to read:

11 16.974 (4) ~~Coordinate with the technology for educational achievement in~~
12 ~~Wisconsin board~~ department of public instruction to provide the Wisconsin Center
13 for the Blind and Visually Impaired and the Wisconsin Educational Services
14 Program for the Deaf and Hard of Hearing with telecommunications access under
15 s. 44.73 115.9995 and contract with telecommunications providers to provide ~~such~~
16 that access.

17 ***-1932/4.1* SECTION 239.** 18.01 (4) (intro.) of the statutes is amended to read:

18 18.01 (4) (intro.) “Public debt” or “debt” means every voluntary, unconditional
19 undertaking by the state, other than an operating note ~~or an interest exchange~~
20 agreement, to repay a sum certain:

21 ***-1408/5.1* SECTION 240.** 18.06 (8) (a) of the statutes is renumbered 18.06 (8)

22 (a) (intro.) and amended to read:

1 18.06 (8) (a) (intro.) The At the time of, or in anticipation of, contracting public
2 debt and at any time thereafter while the public debt is outstanding, the commission
3 may enter into agreements and ancillary arrangements for relating to the public
4 debt, including liquidity facilities, remarketing or dealer agreements, letter of credit
5 agreements, insurance policies, guaranty agreements, reimbursement agreements,
6 indexing agreements, or interest exchange agreements. At the time of contracting
7 for any such agreement or ancillary arrangement, the commission shall determine
8 all of the following, if applicable:

9 *~~1408/5.2~~* SECTION 241. 18.06 (8) (a) 1. of the statutes is created to read:

10 18.06 (8) (a) 1. For any payment to be received with respect to the agreement
11 or ancillary arrangement, whether the payment will be deposited into the bond
12 security and redemption fund or the capital improvement fund.

13 *~~1408/5.3~~* SECTION 242. 18.06 (8) (a) 2. of the statutes is created to read:

14 18.06 (8) (a) 2. For any payment to be made with respect to the agreement or
15 ancillary arrangement, whether the payment will be made from the bond security
16 and redemption fund or the capital improvement fund and the timing of any transfer
17 of funds.

18 *~~1932/4.2~~* SECTION 243. 18.07 (2) of the statutes is amended to read:

19 18.07 (2) Every loan agreement entered into pursuant to s. 18.06 (2) and every
20 evidence of indebtedness given under such a loan agreement shall be executed in the
21 name of and for the state by the secretary of the commission. Every other evidence
22 of indebtedness shall be executed in the name of and for the state by the governor and
23 by the state treasurer and shall be sealed with the great seal of the state or a facsimile
24 thereof of any size, ~~and every interest coupon appurtenant thereto shall be executed~~
25 ~~in the name of and for the state by the governor.~~ The facsimile signature of either

1 the governor or state treasurer or both may be imprinted in lieu of the manual
 2 signature of such officer, as the commission directs, if approved by such officer, ~~and~~
 3 shall be so imprinted in the case of interest coupons. Evidence of indebtedness and
 4 interest coupons appurtenant thereto bearing the manual or facsimile signature of
 5 a person in office at the time such signature was signed or imprinted shall be fully
 6 valid notwithstanding that before or after the delivery thereof such person ceased to
 7 hold such office.

renumbered 18.08 (1) (a) (intro.) and

Change
Component

-1932/4.3 SECTION 244. 18.08 (1) (a) of the statutes is amended to read:
 (intro.)

9 18.08 (1) (a) All moneys resulting from the contracting of public debt or any
 10 payment to be received with respect to any agreement or ancillary arrangement
 11 entered into under s. 18.06 (8) (a) with respect to any such public debt shall be
 12 credited to a separate and distinct fund, established in the state treasury, designated
 13 as the capital improvement fund, except that: 1. ~~such~~ ^{such} moneys which represent
 14 ~~premium and~~ accrued interest on bonds or notes issued, or are for purposes of
 15 funding or refunding bonds pursuant to s. 18.06 (5) shall be credited to one or more
 16 of the sinking funds of the bond security and redemption fund or to the state building

17 trust fund; and any such moneys that represent premium or any payments
 18 received pursuant to any agreement or ancillary arrangement entered into under s.
 19 18.06 (8) (a) with respect to any such public debt may be credited to one or more of
 20 the sinking funds of the bond security and redemption fund or to the capital
 21 improvement fund as determined by the commission.

no score
no score

-1932/4.4 SECTION 245. 18.08 (2) of the statutes is amended to read:

23 18.08 (2) The capital improvement fund may be expended, pursuant to
 24 appropriations, only for the purposes and in the amounts for which the public debts
 25 have been contracted, for the payment of principal and interest on loans or on notes,

-1932/4.4
 SECTION #. 18.08 (1) (a) 2. is created to read:
 18.08 (1) (a) 2.
 LPS: Just keep one 2.

1 for the payment due, if any, under an agreement or ancillary arrangement entered
2 into under s. 18.06 (8) (a) with respect to any such public debt, for the purposes
3 identified under s. 20.867 (2) (v) and (4) (q), and for expenses incurred in contracting
4 public debt.

5 *~~1932/4.5~~* SECTION 246. 18.08 (4) of the statutes is amended to read:

6 18.08 (4) If at any time it appears that there will not be on hand in the capital
7 improvement fund sufficient moneys for the payment of principal and interest on
8 loans or on notes or for the payment due, if any, under an agreement or ancillary
9 arrangement entered into under s. 18.06 (8) (a) with respect to any public debt, the
10 department of administration shall transfer to such fund, out of the appropriation
11 made pursuant to s. 20.866, a sum sufficient which, together with any available
12 money on hand in such fund, is sufficient to make such payment.

13 *~~1932/4.6~~* SECTION 247. 18.09 (2) of the statutes is amended to read:

14 18.09 (2) Each sinking fund shall be expended, and all moneys from time to
15 time on hand therein are irrevocably appropriated, in sums sufficient, only for the
16 payment of principal and interest on the bonds giving rise to it and, premium, if any,
17 due upon ~~refunding~~ redemption of any such bonds, and payment due, if any, under
18 an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with
19 respect to any such bonds.

20 *~~1932/4.7~~* SECTION 248. 18.10 (4) of the statutes is amended to read:

21 18.10 (4) DEBT HELD BY STATE. All evidence of indebtedness owned or held by
22 any state fund shall be deemed to be outstanding in all respects and the agency
23 having such fund under its control shall have the same rights with respect to such
24 evidence of indebtedness as a private party, but if any sinking fund acquires bonds
25 which gave rise to such fund, such bonds shall be deemed paid for all purposes and

1 no longer outstanding and, ~~together with any interest coupons appurtenant thereto,~~
2 shall be canceled as provided in sub. (11). All evidence of indebtedness owned by any
3 state fund shall be registered to the fullest extent registrable.

4 ***-1932/4.8* SECTION 249.** 18.10 (5) of the statutes is amended to read:

5 18.10 (5) REGISTRATION. The state treasurer shall act as registrar for evidence
6 evidences of indebtedness registrable as to principal or interest or both. No transfer
7 of a registered evidence of indebtedness is valid unless made on the register
8 maintained by the state treasurer for that purpose, and the state shall be entitled
9 to treat the registered owner as the owner of such instrument for all purposes.
10 Payments of principal and interest, when registered as to interest, of registered
11 instruments shall be by electronic funds transfer, check, share draft or other draft
12 to the registered owner at the owner's address as it appears on the register, unless
13 the commission has otherwise provided. Information in the register relating to the
14 owners of evidence of indebtedness is not available for inspection and copying under
15 s. 19.35 (1). The commission may make such other provisions respecting registration
16 as it deems necessary or useful. The state treasurer may enter into a contract for the
17 performance of any of his or her functions under this subsection and sub. (7).

18 ***-1932/4.9* SECTION 250.** 18.10 (8) of the statutes is amended to read:

19 18.10 (8) TRUSTEES AND FISCAL AGENTS. The commission may appoint one or
20 more trustees and fiscal agents for each issue of bonds or notes. The state treasurer
21 may be designated the trustee and the sole fiscal agent or a cofiscal agent for any
22 issue of bonds or notes. Every other such fiscal agent shall be an incorporated bank
23 or trust company authorized by the laws of the United States or of the state in which
24 it is located to do a banking or trust company business. ~~The commission shall~~
25 ~~periodically require competitive proposals, under procedures established by the~~

1 ~~commission, for fiscal agent services and, in so doing, shall consult the state~~
2 ~~treasurer.~~ There may be deposited with a trustee, in a special account administered
3 as provided in this chapter, moneys to be used only for the purposes expressly
4 provided in a resolution authorizing the issuance of debt or an agreement between
5 the commission and the trustee. ~~There may be deposited with a fiscal agent, in a~~
6 ~~special account for such purpose only, a sum estimated to be sufficient to enable such~~
7 ~~fiscal agent to pay the principal and interest on public debt which will come due not~~
8 ~~more than 15 days after the date of such deposit.~~ The commission may make such
9 other provisions respecting trustees and fiscal agents as it deems necessary or useful
10 and may enter into a contract with any trustee or fiscal agent containing such terms,
11 including compensation, and conditions in regard to the trustee or fiscal agent as it
12 deems necessary or useful.

13 ~~*-1932/4.10*~~ SECTION 251. 18.51 of the statutes is amended to read:

14 **18.51 Provisions applicable.** The following sections apply to this
15 subchapter, except that all references to “public debt” or “debt” shall be read to refer
16 to a “revenue obligation” and all references to “evidences of indebtedness” shall be
17 read to refer to “evidences of revenue obligation”: ss. 18.02, 18.03, ~~18.06(8)~~, 18.07,
18 18.10 (1), (2), (4) to (9) ~~and, (11), and (12)~~, and 18.17.

19 ~~*-1932/4.11*~~ SECTION 252. 18.52 (1) of the statutes is renumbered 18.52 (1m).

20 ~~*-1932/4.12*~~ SECTION 253. 18.52 (1e) of the statutes is created to read:

21 18.52 (1e) “Ancillary payments” means payments for issuance costs and
22 expenses, payments under contracts entered into under s. 18.55 (6), payments of
23 accrued or funded interest, and payments of other costs and expenses of
24 administering revenue obligations.

1 ***-1932/4.13* SECTION 254.** 18.53 (4) of the statutes is repealed and recreated
2 to read:

3 18.53 (4) Unless otherwise provided in laws applicable to the issuance of a
4 specific revenue obligation, in addition to the requirements established under sub.
5 (3), the commission shall establish the amounts required for ancillary payments and
6 establishment of reserves relating to the revenue obligations.

7 ***-1932/4.14* SECTION 255.** 18.54 (2) of the statutes is amended to read:

8 18.54 (2) The amount of evidences of revenue obligation issued or outstanding
9 for purposes specified by the legislature under s. 18.53 (3) and (4) are subject only
10 to the limits provided in the legislation which authorizes that revenue obligation.
11 No refunding obligation is subject to any limitation specified by that legislation.

12 ***-1932/4.15* SECTION 256.** 18.55 (5) of the statutes is amended to read:

13 18.55 (5) EXERCISE OF AUTHORITY. Money may be borrowed and evidences of
14 revenue obligation issued therefor pursuant to one or more authorizing resolutions,
15 unless otherwise provided in the resolution or in this subchapter, at any time and
16 from time to time, for any combination of purposes, in any specific amounts, at any
17 rates of interest, for any term, payable at any intervals, at any place, in any manner
18 and having any other terms or conditions deemed necessary or useful. Revenue
19 obligation bonds may bear interest at variable or fixed rates, bear no interest or bear
20 interest payable only at maturity or upon redemption prior to maturity. Unless
21 sooner exercised or unless a ~~shorter~~ different period is provided in the resolution,
22 every authorizing resolution, except as provided in s. 18.59 (1), shall expire one year
23 after the date of its adoption.

24 ***-1932/4.16* SECTION 257.** 18.55 (6) of the statutes is created to read:

1 18.55 (6) AGREEMENTS AND ARRANGEMENTS; DELEGATION; USE OF REVENUE
2 OBLIGATIONS. (a) At the time of, or in anticipation of, contracting revenue obligations
3 and at any time thereafter while the revenue obligations are outstanding, the
4 commission may enter into agreements and ancillary arrangements relating to the
5 revenue obligations, including trust indentures, liquidity facilities, remarketing or
6 dealer agreements, letter of credit agreements, insurance policies, guaranty
7 agreements, reimbursement agreements, indexing agreements, or interest
8 exchange agreements. Any payment made or received pursuant to any such
9 agreements or ancillary arrangements shall be made from or deposited into a fund
10 relating to the relevant revenue obligation, as determined by the commission.

11 (b) The commission may delegate to other persons the authority and
12 responsibility to take actions necessary and appropriate to implement agreements
13 and ancillary arrangements under par. (a).

14 (c) Any revenue obligations may include revenue obligations contracted to fund
15 interest, accrued or to accrue, on the revenue obligations.

16 *-1797/7.2* SECTION 258. 18.561 (2) of the statutes is amended to read:

17 18.561 (2) SECURITY INTERESTS OF OWNERS OF ENTERPRISE OBLIGATIONS. There is
18 a mortgage lien upon or security interest in the income and property of each
19 revenue-producing enterprise or program for the benefit of the owners of the related
20 enterprise obligations and other persons specified in the authorizing resolution
21 providing for the issuance of the particular enterprise obligations. No physical
22 delivery, recordation or other action is required to perfect the security interest. The
23 income and property of the revenue-producing enterprise or program shall remain
24 subject to the lien or security interest until provision for payment in full of the
25 principal of and interest of on the enterprise obligations, and other obligations

1 specified in the authorizing resolution providing for the issuance of the particular
2 enterprise obligations, has been made, as provided in the authorizing resolution.
3 The lien or security interest for the benefit of the owners of the enterprise obligations
4 and other persons specified in the authorizing resolution providing for the issuance
5 of the particular enterprise obligations shall have priority over all conflicting
6 security interests in the income and property of the revenue-producing enterprise
7 or program. Any owner of such enterprise obligations may either at law or in equity
8 protect and enforce the lien and compel performance of all duties required by this
9 section. If there is any default in the payment of the principal of or interest of on any
10 of such enterprise obligations, any court having jurisdiction of the action may
11 appoint a receiver to administer the revenue-producing enterprise or program on
12 behalf of the state and the owners of the enterprise obligations, with power to charge
13 and collect rates sufficient to provide for the payment of the operating expenses and
14 also to pay any enterprise obligations outstanding against the revenue-producing
15 enterprise or program, and to apply the income and revenues thereof in conformity
16 with this subchapter and the authorizing resolution, or the court may declare the
17 whole amount of the enterprise obligations due and payable, if such relief is
18 requested, and may order and direct the sale of the revenue-producing enterprise
19 or program. Under any sale so ordered, the purchaser shall be vested with an
20 indeterminate permit to maintain and operate the revenue-producing enterprise or
21 program. The legislature may provide for additions, extensions and improvements
22 to a revenue-producing enterprise or program to be financed by additional issues of
23 enterprise obligations as provided by this section. Such additional issues of
24 enterprise obligations shall be subordinate to all prior related issues of enterprise
25 obligations which may have been made under this section, unless the legislature, in

1 the statute authorizing ~~the initial issue of enterprise obligations, permits the issue~~
2 ~~of additional enterprise obligations on a parity therewith~~ a particular issue of
3 enterprise obligations, or the authorizing resolution providing for the issuance of a
4 particular enterprise obligation, permits the issue of additional enterprise
5 obligations or other obligations on a parity therewith or senior thereto.

6 *~~1797/7.3~~* SECTION 259. 18.561 (3) of the statutes is amended to read:

7 18.561 (3) DEDICATION OF REVENUES. As accurately as possible in advance, the
8 commission and the state department or agency carrying out program
9 responsibilities for which enterprise obligations are to be issued shall determine, and
10 the commission shall fix in the authorizing resolution for such enterprise obligations:
11 the proportion of the revenues of the revenue-producing enterprise or program
12 which shall be necessary for the reasonable and proper operation and maintenance
13 thereof; the proportion of the revenues which shall be set aside as a proper and
14 adequate replacement and reserve fund; ~~and the proportion of the revenues which~~
15 ~~shall be set aside and applied to the payment of the principal of and interest of on~~
16 ~~the enterprise obligations, and ancillary payments authorized to be paid from such~~
17 ~~moneys; and the proportion of the revenues which shall be available for other~~
18 ~~purposes,~~ and shall provide that the revenues be set aside in separate funds. At
19 Subject to the provisions and covenants of the authorizing resolution, at any time
20 after one year's operation, the state department or agency and the commission may
21 recompute the proportion of the revenues which shall be assignable under this
22 subsection based upon the experience of operation or upon the basis of further
23 financing.

24 *~~1932/4.17~~* SECTION 260. 18.561 (5) of the statutes is amended to read:

1 18.561 (5) REDEMPTION FUND. The proportion which shall be set aside for the
2 payment of the principal of and interest on the enterprise obligations shall ~~from~~
3 ~~month to month as they accrue and are received~~ and, as directed by the commission,
4 payments to be received with respect to an agreement or ancillary arrangement
5 entered into pursuant to s. 18.55 (6), shall, at such times as provided in the
6 authorizing resolution, be set apart and paid into a separate fund in the treasury or
7 in an account maintained by a trustee appointed for that purpose in the authorizing
8 resolution to be identified as “the ... redemption fund”. Each redemption fund shall
9 be expended, and all moneys from time to time on hand therein are irrevocably
10 appropriated, in sums sufficient, only for the payment of principal of and interest on
11 the enterprise obligations giving rise to it and premium, if any, due upon redemption
12 of any such obligations, and for ~~other obligations that are secured by the property or~~
13 ~~income, or both, of the enterprise or program~~ payment of obligations under an
14 agreement or ancillary arrangement entered into under s. 18.55 (6) to the extent
15 provided for in an authorizing resolution. Moneys in the redemption funds may be
16 commingled only for the purpose of investment with other public funds, but they
17 shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All
18 such investments shall be the exclusive property of the fund and all earnings on or
19 income from such investments shall be credited to the fund.

20 *~~1581/5.1~~* SECTION 261. 18.562 (1) of the statutes is renumbered 18.562 (1)
21 (a) and amended to read:

22 18.562 (1) (a) There is a security interest, for the benefit of the owners of the
23 special fund obligations and other persons specified in the authorizing resolution
24 providing for the issuance of the particular special fund obligations, in the amounts
25 that arise after the creation of the special fund program in the special fund related

1 to the special fund obligations. For this purpose, amounts in the special fund shall
2 be accounted for on a first-in, first-out basis. ~~No, and no~~ physical delivery,
3 recordation, or other action is required to perfect the security interest.

4 (c) The special fund shall remain subject to the security interest until provision
5 for payment in full of the principal and interest of the special fund obligations, and
6 other obligations specified in the authorizing resolution providing for the issuance
7 of the particular special fund obligations, has been made, as provided in the
8 authorizing resolution.

9 (d) An owner of special fund obligations may either at law or in equity protect
10 and enforce the security interest and compel performance of all duties required by
11 this section.

12 ***-1581/5.2* SECTION 262.** 18.562 (1) (b) of the statutes is created to read:

13 18.562 (1) (b) 1. Except as provided in subd. 2., the security interest for the
14 benefit of the owners of the special fund obligations and other persons specified in
15 the authorizing resolution providing for the issuance of the particular special fund
16 obligations shall have priority over all conflicting security interests to the fees,
17 penalties, or excise taxes that are required to be deposited in the special fund.

18 2. For different special fund obligations secured by the same fees, penalties, or
19 excise taxes, priority shall be established according to the date of issuance of the
20 special fund obligation or the incurrence of the other obligations specified in an
21 authorizing resolution, if applicable, with earlier issuances or incurrences having
22 priority over later issuances or incurrences, unless laws governing the issuance of
23 a particular special fund obligation or the authorizing resolution providing for the
24 issuance of a particular special fund obligation permit later issuances or incurrences
25 on a parity or priority basis.

1 *~~1932/4.18~~* SECTION 263. 18.562 (3) of the statutes is amended to read:

2 18.562 (3) REDEMPTION FUND. The special fund revenues that are to be set aside
3 for the payment of the principal ~~of~~ and interest ~~of on~~ the special fund obligations and,
4 as directed by the commission, payments to be received with respect to an agreement
5 or ancillary arrangement entered into under s. 18.55 (6), shall be paid into a separate
6 fund in the treasury or in an account maintained by a trustee appointed for that
7 purpose in the authorizing resolution to be identified as “the ... redemption fund”.
8 Each redemption fund shall be expended, and all moneys from time to time on hand
9 therein are irrevocably appropriated, in sums sufficient, only for the payment of
10 principal of and interest on the special fund obligations giving rise to it and premium,
11 if any, due upon redemption of any such obligations, and for ~~other obligations that~~
12 ~~are secured by any fees, penalties, or excise taxes deposited in the special fund~~
13 payment of obligations under an agreement or ancillary arrangement entered into
14 under s. 18.55 (6) to the extent provided for in an authorizing resolution. Moneys in
15 the redemption funds may be commingled only for the purpose of investment with
16 other public funds, but they shall be invested only in investment instruments
17 permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property
18 of the fund and all earnings on or income from such investments shall be credited to
19 the fund.

20 *~~1932/4.19~~* SECTION 264. 18.57 (1) of the statutes is amended to read:

21 18.57 (1) A separate and distinct fund shall be established in the state treasury
22 or in an account maintained by a trustee appointed for that purpose by the
23 authorizing resolution with respect to each revenue-producing enterprise or
24 program the income from which is to be applied to the payment of any enterprise
25 obligation. A separate and distinct fund shall be established in the state treasury

1 or in an account maintained by a trustee appointed for that purpose by the
2 authorizing resolution with respect to any special fund program that is created by
3 ~~the imposition of fees, penalties or excise taxes and is applied to the payment~~
4 financed through the issuance of special fund obligations. All moneys resulting from
5 the issuance of evidences of revenue obligation shall be credited to the appropriate
6 fund, applied for refunding or note renewal purposes, or to make deposits to reserve
7 funds, except that moneys which represent ~~premium or accrued interest or, to the~~
8 extent provided in the resolution authorizing the issuance of such evidences of
9 revenue obligation, premium received on the issuance of evidences shall be credited
10 to the appropriate redemption fund. As determined by the commission, payments
11 to be received under an agreement or ancillary arrangement entered into under s.
12 18.55 (6) with respect to any such issuance of evidences of revenue obligation shall
13 be credited to the appropriate fund.

****NOTE: This is reconciled s. 18.57 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-1581 and LRB-1932.

14 ***-1932/4.20* SECTION 265.** 18.57 (2) of the statutes is amended to read:

15 18.57 (2) Moneys in such funds may be expended, pursuant to appropriations,
16 only for the purposes and in the amounts for which borrowed, for the payment of the
17 principal of and interest on related revenue obligations, to make deposits to reserve
18 funds, and ~~for expenses incurred in issuing such obligations to make ancillary~~
19 payments.

20 ***-1932/4.21* SECTION 266.** 18.58 (2) of the statutes is repealed.

21 ***-1932/4.22* SECTION 267.** 18.60 (2) of the statutes is amended to read:

22 18.60 (2) If the commission determines to exchange refunding obligations, they
23 may be exchanged privately for and in payment and discharge of any of the

SECTION 267

1 outstanding obligations or notes being refinanced. Refunding obligations may be
2 exchanged for ~~a like or greater principal amount of the obligations or notes being~~
3 ~~exchanged therefor except that the principal amount of the refunding obligations~~
4 ~~may exceed the principal amount of the obligations or notes being exchanged~~
5 ~~therefor only to the extent determined by the commission to be necessary or~~
6 ~~advisable to pay redemption premiums and unpaid interest to the date of exchange~~
7 ~~not otherwise provided for~~ such principal amount of the obligations or notes being
8 exchanged therefore as may be determined by the commission to be necessary or
9 advisable. The owners of the obligations or notes being refunded who elect to
10 exchange need not pay accrued interest on the refunding obligations if and to the
11 extent that interest is accrued and unpaid on the obligations or notes being refunded
12 and to be surrendered. If any of the obligations or notes to be refinanced are to be
13 called for redemption, the commission shall determine which redemption dates shall
14 be used, if more than one date is applicable and shall, prior to the issuance of the
15 refunding obligations, provide for notice of redemption to be given in the manner and
16 at the times required by the proceedings authorizing the outstanding obligations or
17 notes.

18 *~~0529/4.28~~* SECTION 268. 18.60 (3) of the statutes is amended to read:

19 18.60 (3) The principal proceeds from the sale of any refunding obligations
20 shall be applied either to the immediate payment and retirement of the obligations
21 or notes being refinanced or, if the obligations or notes have not matured and are not
22 presently redeemable, to the creation of a trust for and shall be pledged to the
23 payment of the obligations or notes being refinanced. If a trust is created, a separate
24 deposit shall be made for each issue of obligations or notes being refinanced. Each
25 deposit shall be with the ~~state treasurer~~ secretary of administration or a bank or

1 trust company that is then a member of the federal deposit insurance corporation.
2 If the total amount of any deposit, including money other than sale proceeds but
3 legally available for such purpose, is less than the principal amount of the obligations
4 or notes being refinanced and for the payment of which the deposit has been created
5 and pledged, together with applicable redemption premiums and interest accrued
6 and to accrue to maturity or to the date of redemption, then the application of the sale
7 proceeds shall be legally sufficient only if the money deposited is invested in
8 securities issued by the United States or one of its agencies, or securities fully
9 guaranteed by the United States, and only if the principal amount of the securities
10 at maturity and the income therefrom to maturity will be sufficient and available,
11 without the need for any further investment or reinvestment, to pay at maturity or
12 upon redemption the principal amount of the obligations or notes being refinanced
13 together with applicable redemption premiums and interest accrued and to accrue
14 to maturity or to the date of redemption. The income from the principal proceeds of
15 the securities shall be applied solely to the payment of the principal of and interest
16 and redemption premiums on the obligations or notes being refinanced, but
17 provision may be made for the pledging and disposition of any surplus. Nothing in
18 this subsection shall be construed as a limitation on the duration of any deposit in
19 trust for the retirement of obligations or notes being refinanced, but which have not
20 matured and which are not presently redeemable. Nothing in this subsection shall
21 be construed to prohibit reinvestment of the income of a trust if the reinvestments
22 will mature at such times that sufficient cash will be available to pay interest,
23 applicable premiums, and principal on the obligations or notes being refinanced.

24 ***-1932/4.23* SECTION 269.** 18.61 (5) of the statutes is amended to read:

1 18.61 (5) The legislature may provide, with respect to any specific issue of
2 revenue obligations, prior to their issuance, that if the special fund income or the
3 enterprise or program income pledged to the payment of the principal of and interest
4 of on the issue is insufficient for that purpose, or is insufficient to replenish a reserve
5 fund, if applicable, it will consider supplying the deficiency by appropriation of funds,
6 from time to time, out of the treasury. If the legislature so provides, the commission
7 may make the necessary provisions therefor in the authorizing resolution and other
8 proceedings of the issue. Thereafter, if the contingency occurs, recognizing its moral
9 obligation to do so, the legislature hereby expresses its expectation and aspiration
10 that it shall make such appropriation.

11 *~~1932/4.24~~* SECTION 270. 18.70 of the statutes is amended to read:

12 **18.70 Provisions applicable.** The following sections apply to this
13 subchapter, except that all references to “public debt”, “debt” or “revenue obligation”
14 are deemed to refer to “operating notes”, all references to “evidence of indebtedness”
15 are deemed to refer to “evidence of operating note”, and all references to “evidences
16 of indebtedness” are deemed to refer to “evidences of operating notes”: ss. 18.03,
17 ~~18.06 (8)~~, 18.07, 18.10 (1), (2), (4) to (9) and (11), 18.17, 18.52 ~~(1)~~, ~~18.58 (2)~~ (1m), 18.61
18 (1), 18.62 and 18.63.

19 *~~1932/4.25~~* SECTION 271. 18.73 (5) of the statutes is created to read:

20 18.73 (5) AGREEMENTS AND ARRANGEMENTS; DELEGATION; USE OF OPERATING NOTES.
21 (a) At the time of, or in anticipation of, contracting operating notes and at any time
22 thereafter while the operating notes are outstanding, the commission may enter into
23 agreements and ancillary arrangements relating to the operating notes, including
24 liquidity facilities, remarketing or dealer agreements, letter of credit agreements,
25 insurance policies, guaranty agreements, reimbursement agreements, indexing

1 agreements, or interest exchange agreements. Any payment received pursuant to
2 any such agreements or ancillary arrangements shall be deposited in, and any
3 payments made pursuant to any such agreements or ancillary arrangements will be
4 made from, the general fund or the operating note redemption fund, as determined
5 by the commission.

6 (b) The commission may delegate to other persons the authority and
7 responsibility to take actions necessary and appropriate to implement agreements
8 and ancillary arrangements under par. (a).

9 (c) Any operating notes may include operating notes contracted to fund
10 interest, accrued or to accrue, on the operating notes.

11 ***-1932/4.26* SECTION 272.** 18.74 of the statutes is amended to read:

12 **18.74 Application of operating note proceeds.** All moneys resulting from
13 the contracting of operating notes or any payment to be received under an agreement
14 or ancillary arrangement entered into under s. 18.73 (5) with respect to any such
15 operating notes shall be credited to the general fund, except that moneys which
16 represent premium and accrued interest on operating notes, or moneys for purposes
17 of funding or refunding operating notes pursuant to s. 18.72 (1) shall be credited to
18 the operating note redemption fund.

19 ***-1932/4.27* SECTION 273.** 18.75 (2) of the statutes is amended to read:

20 18.75 (2) The operating note redemption fund shall be expended and all
21 moneys from time to time on hand therein are irrevocably appropriated, in sums
22 sufficient, only for the payment of principal and interest on operating notes giving
23 rise to it and premium, if any, due upon refunding or early redemption of such
24 operating notes, and for the payment due, if any, under an agreement or ancillary
25 arrangement entered into under s. 18.73 (5) with respect to such operating notes.

1 *~~1932/4.28~~* SECTION 274. 18.75 (4) of the statutes is amended to read:

2 18.75 (4) There shall be transferred, under s. 20.855 (1) (a), a sum sufficient
3 for the payment of the principal, interest and premium due, if any, and for the
4 payment due, if any, under an agreement or ancillary arrangement entered into
5 pursuant to s. 18.73 (5) with respect to such operating notes on the operating notes
6 giving rise to it as the same falls due. Such transfers shall be so timed that there is
7 at all times on hand in the fund an amount not less than the amount to be paid out
8 of it during the ensuing 30 days or such other period if so provided for in the
9 authorizing resolution. The commission may pledge the deposit of additional
10 amounts at periodic intervals and the secretary of the department may impound
11 moneys of the general fund, including moneys temporarily reallocated from other
12 funds under s. 20.002 (11), in accordance with the pledge of revenues in the
13 authorizing resolution, and all such impoundments are deemed to be payments for
14 purposes of s. 16.53 (10), but no such impoundment may be made until the amounts
15 to be paid into the bond security and redemption fund under s. 18.09 during the
16 ensuing 30 days have been deposited in the bond security and redemption fund.

17 *~~1289/7.34~~* SECTION 275. 19.36 (4) of the statutes is amended to read:

18 19.36 (4) COMPUTER PROGRAMS AND DATA. A computer program, as defined in s.
19 ~~22.03~~ 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but
20 the material used as input for a computer program or the material produced as a
21 product of the computer program is subject to the right of examination and copying,
22 except as otherwise provided in s. 19.35 or this section.

23 *~~0529/4.29~~* SECTION 276. 19.43 (7) of the statutes is amended to read:

24 19.43 (7) If an official required to file fails to make a timely filing, the board
25 shall promptly provide notice of the delinquency to the ~~state treasurer~~ secretary of

1 administration, and to the chief executive of the department of which the official's
2 office or position is a part, or, in the case of a district attorney, to the chief executive
3 of that department and to the county clerk of each county served by the district
4 attorney or in the case of a municipal judge to the clerk of the municipality of which
5 the official's office is a part, or in the case of a justice, court of appeals judge, or circuit
6 judge, to the director of state courts. Upon such notification both the ~~state treasurer~~
7 secretary of administration and the department, municipality, or director shall
8 withhold all payments for compensation, reimbursement of expenses, and other
9 obligations to the official until the board notifies the officers to whom notice of the
10 delinquency was provided that the official has complied with this section.

11 ***-1767/3.4* SECTION 277.** 19.45 (7) (a) 4. of the statutes is amended to read:

12 19.45 (7) (a) 4. In a matter before the department of revenue or the office of the
13 commissioner of tax appeals ~~commission~~ that involves the representation of a client
14 in connection with a tax matter.

15 ***-0576/8.21* SECTION 278.** 19.45 (11) (a) of the statutes is amended to read:

16 19.45 (11) (a) The administrator of the division of merit recruitment and
17 selection in the department of ~~employment relations~~ administration shall, with the
18 board's advice, promulgate rules to implement a code of ethics for classified and
19 unclassified state employees except state public officials subject to this subchapter,
20 unclassified personnel in the University of Wisconsin System and officers and
21 employees of the judicial branch.

22 ***-1761/4.1* SECTION 279.** 20.003 (4) (e) of the statutes is amended to read:

23 20.003 (4) (e) For fiscal year 2003–04, 1.6% the amount by which the
24 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003–04 under 2003
25 Wisconsin Act (this act), section 9224 (1), or \$25,000,000, whichever is greater.

1 *-1761/4.2* **SECTION 280.** 20.003 (4) (f) of the statutes is amended to read:

2 20.003 (4) (f) For fiscal year 2004–05, 1.8% the amount by which the
3 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004–05 under 2003
4 Wisconsin Act ... (this act), section 9224 (2), or ~~\$30,000,000~~ ^{\$32,000,000}, whichever is greater.

5 *-1761/4.3* **SECTION 281.** 20.003 (4) (fm) of the statutes is created to read:

6 20.003 (4) (fm) For fiscal year 2005–06, \$65,000,000.

7 *-1761/4.4* **SECTION 282.** 20.003 (4) (g) of the statutes is amended to read:

8 20.003 (4) (g) For fiscal year ~~2005–06~~ 2006–07 and each fiscal year thereafter,
9 2%.

10 *-1273/P2.1* **SECTION 283.** 20.005 (1) of the statutes is repealed and recreated

11 to read:

12 20.005 (1) **SUMMARY OF ALL FUNDS.** The budget governing fiscal operations for
13 the state of Wisconsin for all funds beginning on July 1, 2003, and ending on June
14 30, 2005, is summarized as follows: [See Figure 20.005 (1) following]

 ***NOTE: The following schedules are from the 2001 budget bill from two years ago.
They need 2003–05 versions. The 2001–03 years topping each column in all tables will
need to be changed to 2003–05 years.

15
16 **Figure: 20.005 (1)**
17

GENERAL FUND SUMMARY

| | 2001–02 | 2002–03 |
|---------------------------------|------------------|------------------|
| Opening Balance, July 1 | \$ 180,214,800 | \$ 152,687,300 |
| Revenues and Transfers | | |
| Estimated Taxes | \$10,654,100,000 | \$11,169,027,500 |
| Estimated Departmental Revenues | | |
| Tobacco Settlement | 155,526,000 | 157,602,800 |
| Tobacco Securitization | 450,000,000 | –0– |

| | 2001-02 | 2002-03 |
|---|-------------------------|-------------------------|
| Other | <u>183,752,800</u> | <u>182,826,700</u> |
| Total Available | \$11,623,593,600 | \$11,662,144,300 |
| Appropriations, Transfers and Reserves | | |
| Gross Appropriations | \$11,578,951,600 | \$11,670,350,400 |
| Compensation Reserves | 27,900,000 | 82,500,000 |
| Transfer to Tobacco Control Fund | 6,032,300 | 15,345,100 |
| Prescription Drug Legislation | -0- | 44,000,000 |
| Less Estimated Lapses | <u>-141,977,600</u> | <u>-201,710,000</u> |
| Total Expenditures | \$11,470,906,300 | \$11,610,485,500 |
| Balances | | |
| Gross Balance | \$ 152,687,300 | \$ 51,658,800 |
| Less Required Statutory Balance | <u>-139,282,200</u> | <u>-50,000,000</u> |
| Net Balance, June 30 | \$ 13,405,100 | \$ 1,658,800 |

SUMMARY OF APPROPRIATIONS — ALL FUNDS

| | 2001-02 | 2002-03 |
|-------------------------|-------------------------|-------------------------|
| General Purpose Revenue | \$11,578,951,600 | \$11,670,350,400 |
| Federal Revenue | | |
| Program Revenue | 4,759,271,300 | 4,833,602,200 |
| Segregated Revenue | <u>716,680,000</u> | <u>745,123,600</u> |
| | \$ 5,475,951,300 | \$ 5,578,725,800 |
| Program Revenue | | |
| State | 2,293,638,000 | 2,352,071,600 |
| Service | <u>729,931,100</u> | <u>723,413,200</u> |
| | \$ 3,023,569,100 | \$ 3,075,484,800 |
| Segregated Revenue | | |
| State | 2,968,116,600 | 2,713,296,900 |
| Local | 72,740,300 | 72,081,200 |

| | 2001-02 | 2002-03 |
|--------------------|-------------------------|-------------------------|
| Service | <u>160,654,400</u> | <u>165,381,100</u> |
| | \$ 3,201,511,300 | \$ 2,950,759,200 |
| GRAND TOTAL | \$23,279,983,300 | \$23,275,320,200 |

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

| | 2001-02 | 2002-03 |
|-------------------------|----------------------|-----------------------|
| General Purpose Revenue | \$ 27,900,000 | \$ 82,500,000 |
| Federal Revenue | 7,565,700 | 22,503,500 |
| Program Revenue | 20,465,700 | 60,593,100 |
| Segregated Revenue | <u>4,765,300</u> | <u>14,108,600</u> |
| TOTAL | \$ 60,696,700 | \$ 179,705,200 |

LOTTERY FUND SUMMARY

| | 2001-02 | 2002-03 |
|-------------------------|-----------------------|-----------------------|
| Gross Revenue | \$ 403,719,100 | \$ 402,943,000 |
| Expenses | | |
| Prizes | \$ 230,258,200 | \$ 229,867,000 |
| Administrative Expenses | <u>63,363,300</u> | <u>63,685,000</u> |
| | \$ 293,621,500 | \$ 293,552,000 |
| Net Proceeds | \$ 110,097,600 | \$ 109,391,000 |

| | 2001-02 | 2002-03 |
|--|------------------|------------------|
| Total Available for Property Tax Relief | | |
| Opening Balance | \$ 9,324,400 | \$ 8,074,400 |
| Net Proceeds | 110,097,600 | 109,391,000 |
| Interest Earnings | 2,335,000 | 2,455,000 |
| Gaming-Related Revenue | <u>2,477,300</u> | <u>1,995,900</u> |
| | \$ 124,234,300 | \$ 121,916,300 |
| Property Tax Relief | \$ 116,159,900 | \$ 113,857,400 |
| Gross Closing Balance | \$ 8,074,400 | \$ 8,058,900 |
| Reserve | \$ 8,074,400 | \$ 8,058,900 |
| Net Closing Balance | <u>\$ -0-</u> | <u>\$ -0-</u> |

1
2
3
4
5
6

***-1273/P2.2* SECTION 284.** 20.005 (2) of the statutes is repealed and recreated to read:

20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

****NOTE: The following schedules are from the 2001 budget bill from two years ago. They need to be updated with the 2003-05 figures.

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS
2001-03 FISCAL BIENNIUM**

| Source and Purpose | Amount |
|---------------------------------------|--------------|
| GENERAL OBLIGATIONS | |
| Administration | |
| Educational communications facilities | \$ 8,658,100 |

| Source and Purpose | Amount |
|---|-------------|
| Agriculture, Trade and Consumer Protection | |
| Soil and water | 7,000,000 |
| Building Commission | |
| Housing state departments and agencies | 76,956,500 |
| Project contingencies | 8,819,100 |
| Capital equipment acquisition | 10,469,000 |
| Other public purposes | 148,331,500 |
| Corrections | |
| Correctional facilities | 93,015,600 |
| Educational Communications Board | |
| Educational communications facilities | 14,200,000 |
| (Transfer to Department of Administration) | -8,658,100 |
| Environmental Improvement Program | |
| Clean water fund program | 85,000,000 |
| Health and Family Services | |
| Mental health and secure treatment facilities | 2,617,200 |
| Medical College of Wisconsin | |
| Biomedical research and technology incubator | 25,000,000 |
| Military Affairs | |
| Armories and military facilities | 2,004,600 |
| Natural Resources | |
| Nonpoint source grants | 19,000,000 |
| Urban nonpoint source cost sharing | 4,700,000 |
| Municipal flood control and riparian restoration | 9,000,000 |
| Environmental repair | 5,000,000 |